

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CAPITAL BEVERAGE CORPORATION,

Plaintiff,

v.

07 CV 6063 (NRB)

**RULE 7.1 STATEMENT**

OAK BEVERAGES, INC., VICTORIA  
BEVERAGE, INC., and DEALY &  
SILBERSTEIN, LLP (solely in its capacity as  
Escrow Agent),

Defendants.

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Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Defendant Oak Beverages, Inc. (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

NONE.

Dated: Garden City, New York  
July 23, 2007

ETTELMAN & HOCHHEISER, P.C.

By: \_\_\_\_\_

Gary Ettelman (GE-9315)

Attorneys for Defendants

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